

505 Montgomery Street, Suite 2000  
 San Francisco, California 94111-6538  
 Tel: +1.415.391.0600 Fax: +1.415.395.8095  
 www.lw.com

# LATHAM & WATKINS LLP

August 8, 2024

## VIA ECF

The Honorable Tony N. Leung  
 United States District Court  
 300 South Fourth Street  
 Minneapolis, MN 55415

FIRM / AFFILIATE OFFICES

Austin	Milan
Beijing	Munich
Boston	New York
Brussels	Orange County
Century City	Paris
Chicago	Riyadh
Dubai	San Diego
Düsseldorf	San Francisco
Frankfurt	Seoul
Hamburg	Silicon Valley
Hong Kong	Singapore
Houston	Tel Aviv
London	Tokyo
Los Angeles	Washington, D.C.
Madrid	

Re: *Shawgo, et al., v. Counter Brands, LLC d/b/a Beautycounter, et al.*,  
 Case No. 24-cv-00556 (D. Minn.)

Dear Magistrate Judge Leung:

The Carlyle Group Inc. (“Carlyle”) writes regarding Plaintiffs’ Motion to Commence Discovery (“Discovery Motion”) (Dkt. 74) to respectfully request that the hearing set for August 15, 2024, be conducted virtually by Zoom.

Plaintiffs did not comply with their meet and confer obligations prior to filing the Discovery Motion, *see* Dkt. 85 at 8-9 & Dkt. 87 at 7-10, and did not discuss with Defendants the hearing date they selected for the Discovery Motion. Lead counsel for Carlyle is based in California and unfortunately cannot travel to and from Minnesota for the hearing as currently set due to in-person obligations in other matters that were scheduled and confirmed before Plaintiffs surprised Defendants with the Discovery Motion and hearing date.

For that reason, and pursuant to Local Rule 7.3(b), Carlyle respectfully requests that the hearing regarding Plaintiffs’ Discovery Motion be conducted virtually by Zoom. Counsel for Defendants Susan Gregg Renfrew, Counter Brands, Inc., and G2G Newco Inc. agree that a Zoom hearing would be more efficient (as they are likewise based in California) and do not oppose this request. Plaintiffs’ counsel stated that they “would like an in-person hearing” but “would not object to you [Carlyle] appearing by zoom if the court allows a hybrid hearing.” Carlyle asks that any hearing that is held on the Discovery Motion be transcribed, regardless of format.

Thank you for your consideration of this request.

Sincerely,

Melanie M. Blunschi  
 of LATHAM & WATKINS LLP

cc: Counsel of Record via ECF